

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, South Carolina 29403-5107
and
THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
Office of Environmental Quality Control
Water Quality Certification and Wetlands Programs Section
2600 Bull Street
Columbia, South Carolina 29201

REGULATORY DIVISION
Refer to: P/N # 2006-1867-DIS

August 11, 2006

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1341), an application has been submitted to the Department of the Army and the South Carolina Department of Health and Environmental Control by

South Carolina Department of Transportation
P.O. Box 191
Columbia, South Carolina 29202-0191

for a permit to place fill into a 650 linear foot reach of stream, and to relocate the stream in a 542 linear foot constructed stream channel in

Kinley Creek

at a location on S-671 (Piney Grove Road) approximately 5200 feet south of the intersection of S-671 and US-26 (Interchange 104) in Lexington County, South Carolina (Latitude: 34.058830, Longitude:81.153820).

In order to give all interested parties an opportunity to express their views

N O T I C E

is hereby given that written statements regarding the proposed work will be received by both of the above mentioned offices until

12 O'CLOCK NOON, MONDAY, September 11, 2006

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of placing fill within 650 linear feet of the existing stream channel of Kinley Creek, and the relocation and creation of a 542 linear foot stream channel as part of bridge replacement project on S-671 across Kinley Creek. The filling and relocation of Kinley Creek will allow the stream be placed in the approximate location of the original stream channel (based upon 1946 Topographic mapping) to allow for construction of the replacement bridge and construction of a temporary roadway.

August 11, 2006

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
69A Hagood Avenue
Charleston, South Carolina 29403-5107**

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The District Engineer will not process this application to a conclusion until such certification is received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review. Persons wishing to comment or object to Water Quality Certification must submit all comments in writing to the S.C. Department of Health and Environmental Control at the above address within thirty (30) days of the date of this notice.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact (0.478) acres of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

The District Engineer has consulted the most recently available information and has made no determination of effect on any Federally endangered, threatened, or proposed species. This public notice serves as a request to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for any additional information they may have on whether any Federally listed or proposed to be listed endangered or threatened species and/or designated or proposed critical habitat may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended).

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), this public notice also constitutes a request to Indian Tribes to notify the District Engineer of any historic properties of religious and cultural significance to them that may be affected by the proposed undertaking.

In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. To insure that other cultural resources that the District Engineer is not aware of are not overlooked, this public notice also serves as a request to the State Historic Preservation Office to provide any information it may have with regard to historic and cultural resources.

REGULATORY DIVISION

Refer to: P/N # 2006-1867-DIS

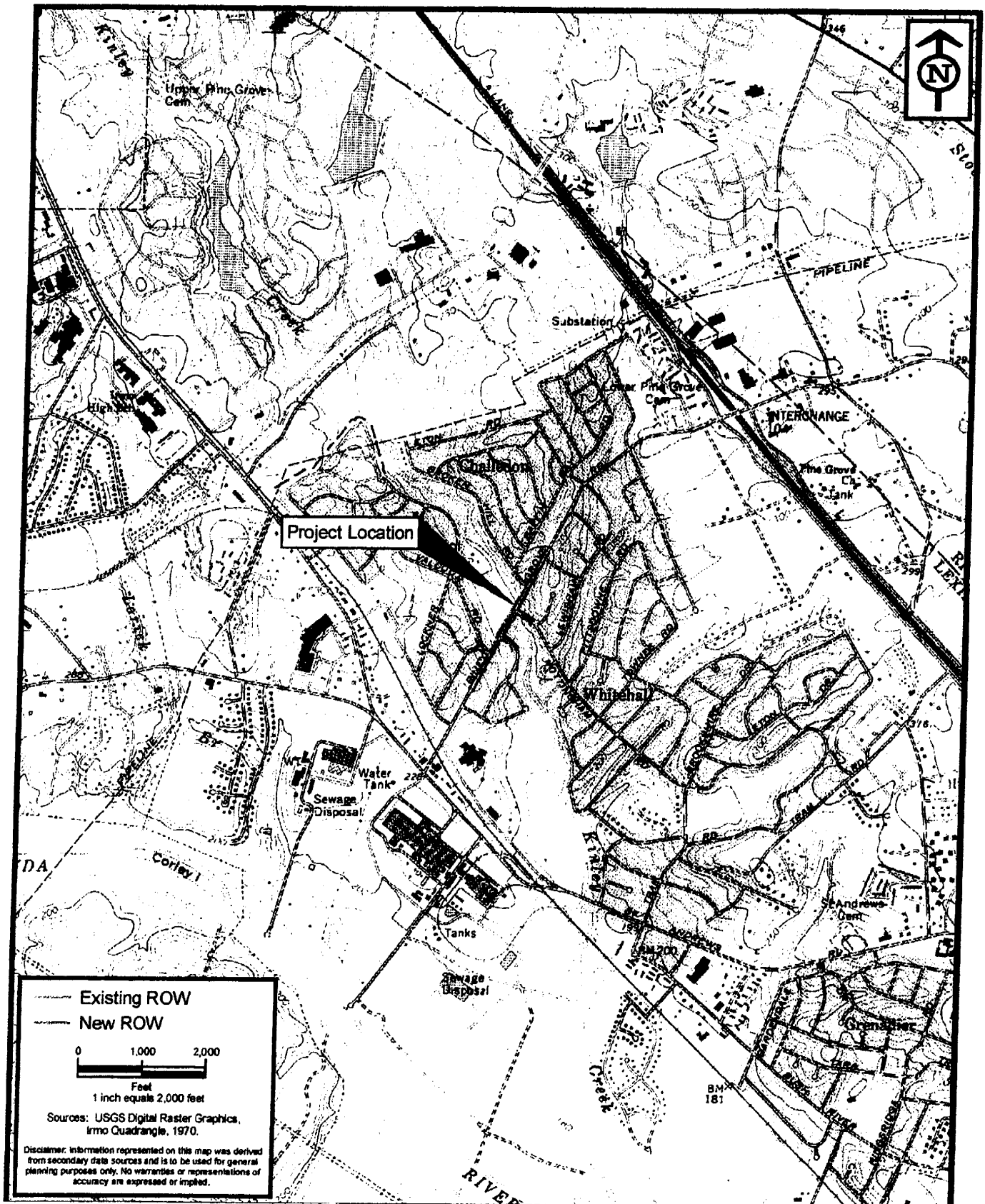
August 11, 2006

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act and, as appropriate, the criteria established under authority of Section 102 of the Marine Protection, Research and Sanctuaries Act of 1972, as amended. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

If there are any questions concerning this public notice, please contact Stephen A. Brumagin at 843-329-8044 or toll free at 1-866-329-8187.

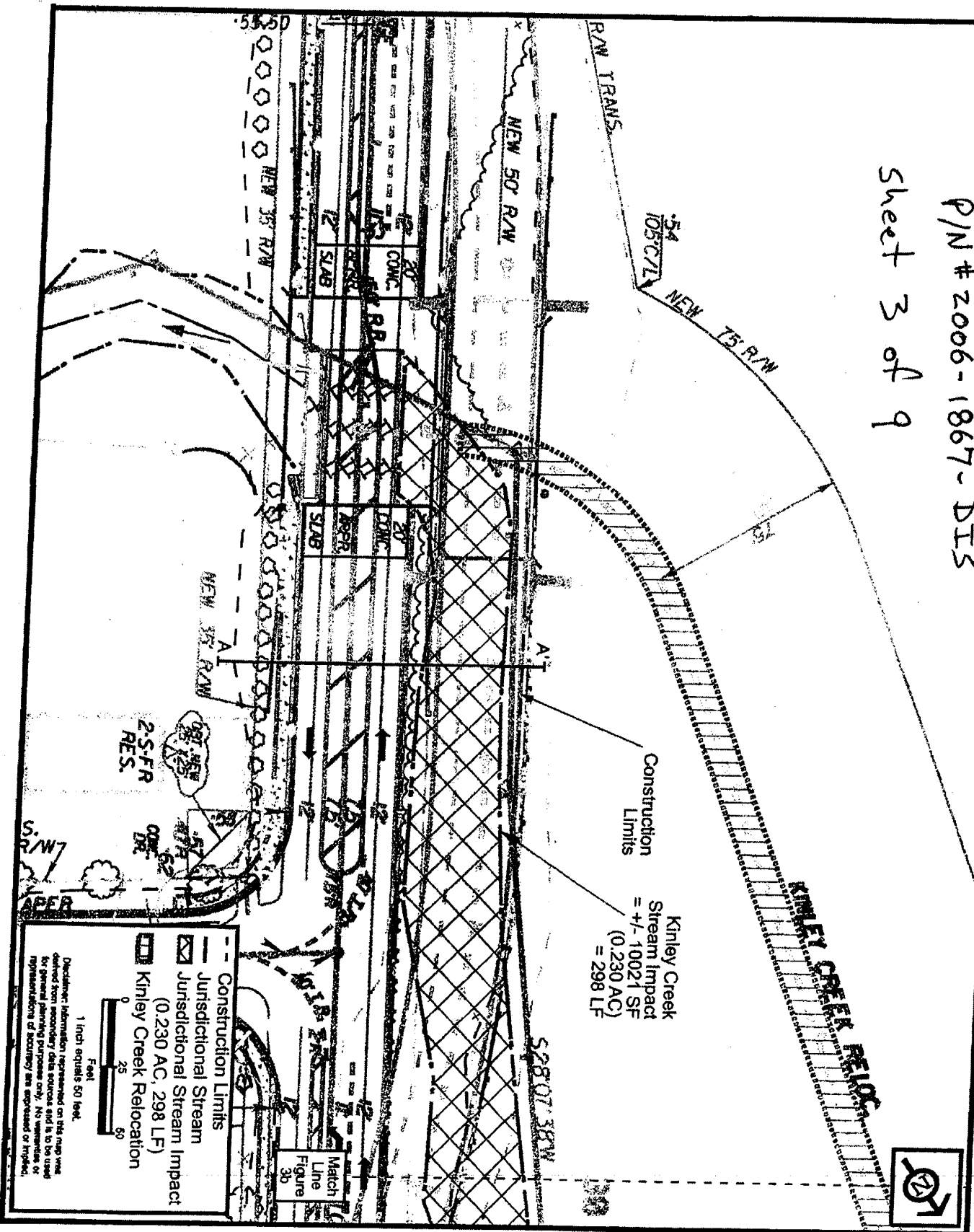


P/N # 2006-1867-DIS

Sheet 1 of 9

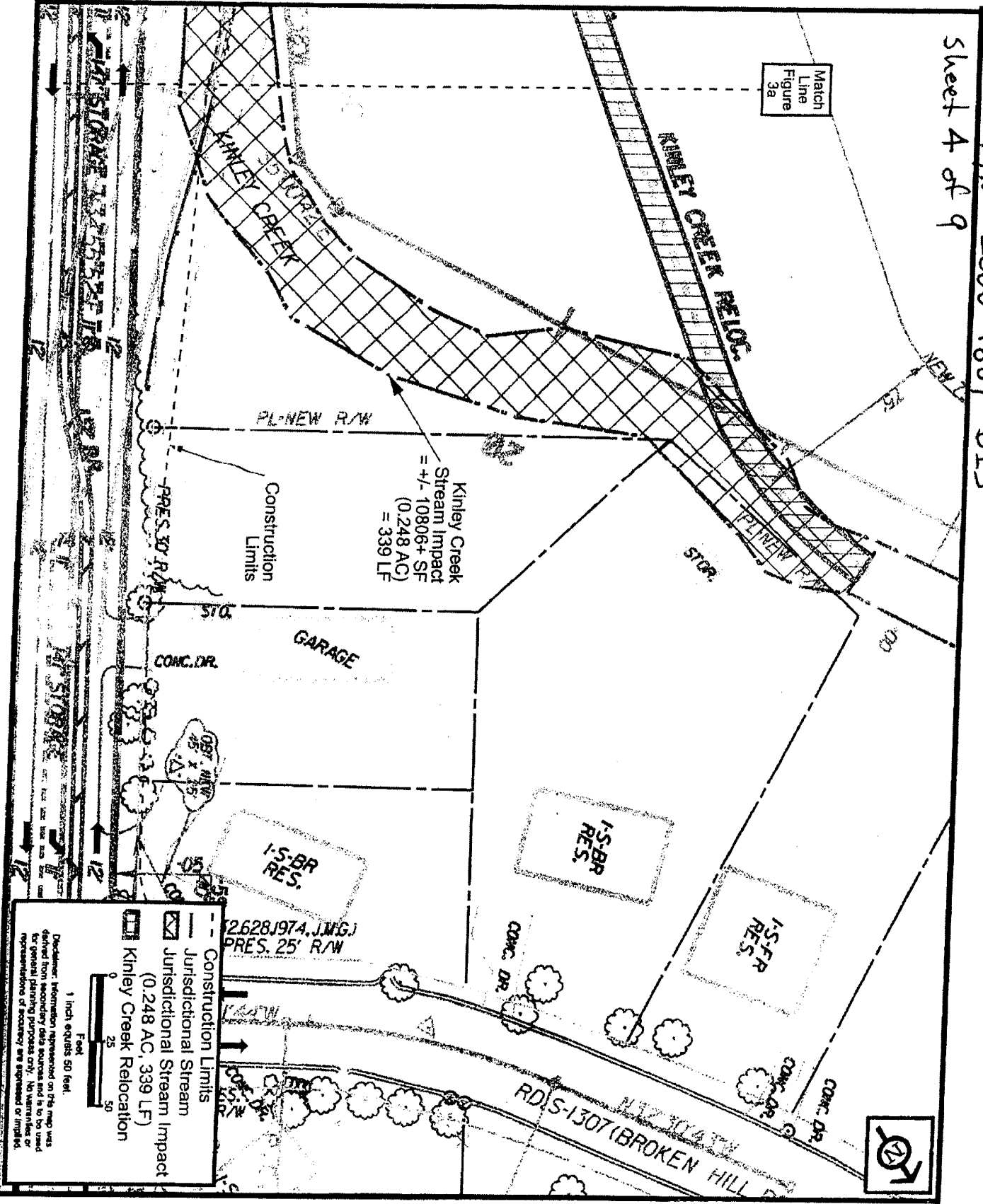
P/N # 2006-1867-DIS

Sheet 3 of 9



P/N# 2006-1867-DIS
 Sheet 4 of 9

Match
 Line
 Figure
 3a

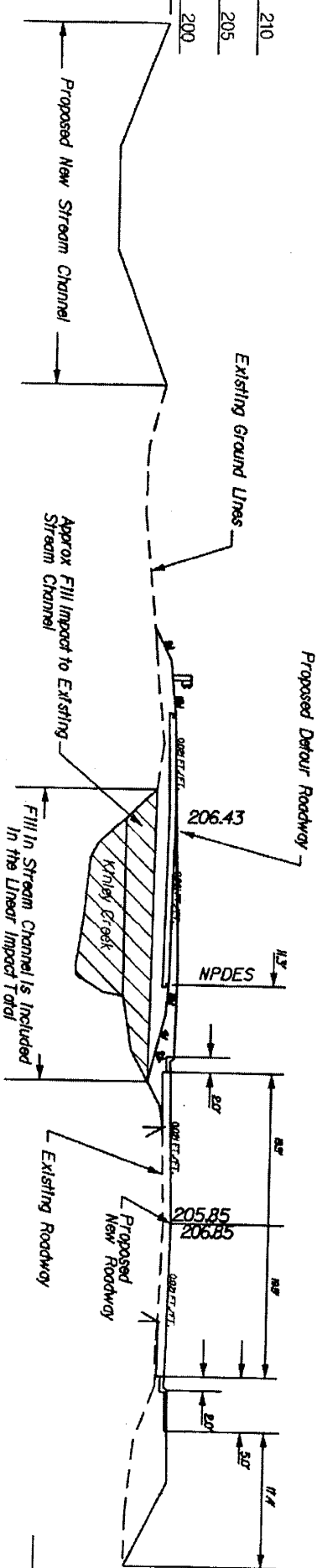


1 inch equals 50 feet.

Legend:

- Construction Limits
- Jurisdictional Stream Impact (0.248 AC, 339 LF)
- Kinley Creek Relocation

Disclaimer: Information represented on this map was derived from secondary data sources and is to be used for general planning purposes only. No warranty or representation of accuracy is expressed or implied.



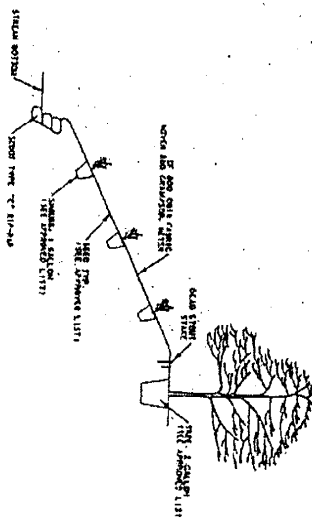
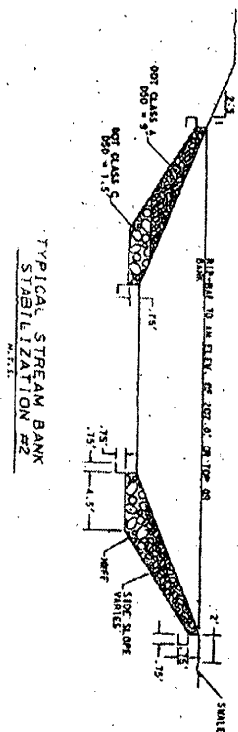
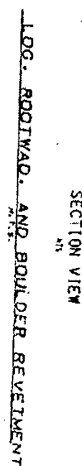
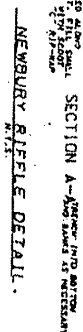
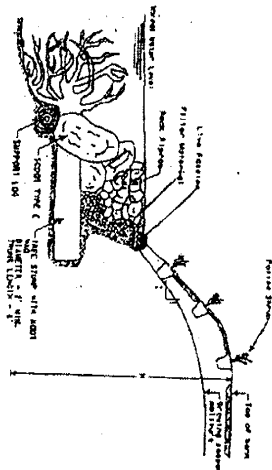
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NPDES Line Approx. 12' from base of fill on right

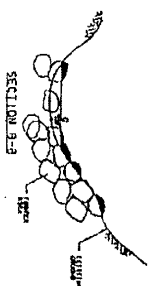
P/N# 2006-1867-DIS
Sheet 5 of 9

NOT TO SCALE

PIN 25161
PROPOSED BRIDGE REPLACEMENT
S-671 (PINEY GROVE ROAD)
LEXINGTON COUNTY
APPLICATION BY SCDOT
FEDERAL FUNDS TO BE USED
DATE: AUGUST 3, 2006
FIGURE: 4



TYPICAL STREAM BANK STABILIZATION #1
N.T.S.



Y-HDOK VANE DETAIL
N.I.S.

P/N# 2006-1867-DIS
Sheet 7 of 9

4				SOUTH CAROLINA DEPARTMENT OF TRANS- PORTATION ROAD DESIGN DIVISION COLUMBIA, SOUTH CAROLINA
3				
2				
1				
ITEM	QTY	UNIT	EXCEPTIONS OR NOTES	
SOIL		CY		
PAVE		SQ YD		
CONC		SQ YD		
WATER		GAL		
GRV		TONS		
REIN		LBS		
STEEL		LBS		
FORM		SQ YD		
SCAFFOLDING		HRS		
LABOR		HRS		
EQUIPMENT		HRS		
MATERIALS				
PERMITS				
INSURANCE				
TESTING				
TRAVEL				
OTHER				
TOTAL				

SCALE IN. R1E

Linear System

Required Linear Mitigation Credits						
	Reach 1	Reach 2	Reach 3	Reach 4	Reach 5	Reach 6
Lost Type	0.8					
Priority Category	0.3					
Existing Condition	0.1					
Duration	0.3					
Dominant Impact	2.5					
Cumulative Impact	0.32	0.32	0.32	0.32	0.32	0.32
Sum of R Factors (R)	4.32	0.32	0.32	0.32	0.32	0.32
Linear Feet Impact (LL)	640					
R X LL=	2764.8	0	0	0	0	0
Total Impacted Linear Feet:						640
Total Required Credits = SUM (R X LL):						2764.8

Riparian Buffer Enhancement (Linear Systems)						
	Reach 1	Reach 2	Reach 3	Reach 4	Reach 5	Reach 6
Net Improvement Stream (Side A)	0.3					
Net Improvement Stream (Side B)	0.3					
Control	0.15					
Credit Schedule	0.08					
Kind	0.1					
Location	0.3					
Sum of Factors (M)	1.23	0	0	0	0	0
Linear Feet (L)	542					
Reach Multiplier (RM)	1.25					
M x L x RM	833.325	0	0	0	0	0
Total Linear Feet:						542
Total Riparian Buffer Enhancement Credits = Sum (M x L x RM):						833.325

Linear Restoration						
	Reach 1	Reach 2	Reach 3	Reach 4	Reach 5	Reach 6
Net Improvement	3					
Priority Category	0.2					
Control	0.15					
Credit Schedule	0.08					
Kind	0.1					
Location	0.2					
Sum Factors (M)	3.73	0	0	0	0	0
Linear Feet (L)	542					
M x L =	2021.66	0	0	0	0	0
Total Linear Feet:						542
Total Stream Restoration Credits = Sum (M x L):						2021.66

P/N# 2006-1867-DIS
sheet 8 of 9

Linear Mitigation Summary			
I. Required Mitigation			
A.		Required Mitigation Credits (RMC):	2764.8
II. Non-Banking Mitigation Credit Summary			
B.		Linear Feet	Credits
	Linear Buffer Enhancement	542	833.325
C.		Stream Restoration	542
			2021.66
D.	Total Proposed Non-Bank Mitigation = B+C	1084	2854.985
III. Banking Mitigation Credit Summary			
E.		Linear Feet	Credits
	Riparian Buffer Enhancement	0	0
F.		Stream Restoration	0
			0
G.	Total Proposed Bank Mitigation = E+F	0	0
IV. Grand Totals			
H.		Linear Feet	Credits
	Linear Buffer Enhancement Mitigation = B+E	542	833.325
I.		Stream Restoration Mitigation = C+F	542
			2021.66
J.	Proposed Mitigation Credit = D+G	1084.0	2855.0
V. Mitigation Checks			
Proposed Mitigation Credits (PMC) \geq Required Mitigation Credits (RMC)			Result
PMCStream Restoration $\geq \frac{1}{4} \times$ RMC			yes
			yes

P/N # 2006-1869-DIS
sheet 9 of 9